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CLERK OF DISTRICT COURT
WESTERN DISTRICT OF TEXAS
BY _____
JERRY L.

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Pursuant to 28 U.S.C. § 636(b) and Rule 72(b) of the Federal Rules of Civil Procedure, a party may serve and file specific, written objections to the proposed findings and recommendations of the magistrate judge within 14 days after being served with a copy of the Report and

Recommendation, and thereby secure a *de novo* review by the district court. A party's failure to timely file written objections to the proposed findings, conclusions, and recommendation in a Report and Recommendation bars that party, except upon grounds of plain error, from attacking on appeal the unobjected-to proposed factual findings and legal conclusions accepted by the district court. *See Douglass v. United Services Auto Ass'n*, 79 F.3d 1415 (5th Cir. 1996) (*en banc*).

The parties in this cause were properly notified of the consequences of a failure to file objections. Objections to the Report and Recommendation were due September 27, 2017. As of the date of this order, no party has filed objections to the findings of fact and conclusions of law in the report and recommendation. The court, having reviewed the entire record and finding no plain error, accepts and adopts the Report and Recommendation of the magistrate judge for substantially the reasons stated therein.

IT IS THEREFORE ORDERED that the United States Magistrate Judge's Report and Recommendation (Doc. #22) filed in this cause is hereby **APPROVED** and **ACCEPTED** as set forth herein.

IT IS THEREFORE ORDERED that Plaintiff's Motion for Conditional Certification of Collective Action and Authorization for Notice filed June 2, 2017 (Doc. #15) is **GRANTED**.

IT IS FURTHER ORDERED that this cause is conditionally certified as a collective action under Section 216(b) of Title 29 of the United States Code with respect to all current and former installation technicians who worked for Defendant Point Security, LLC at any location throughout the United States from three years prior to the date of this order to the present.

IT IS FURTHER ORDERED that Defendants shall provide Plaintiff's counsel with the names, positions, dates of employment, all personal addresses, telephone numbers (home and

mobile) and all personal email addresses for the class members as defined above (“Class List”), in a computer-readable format, **on or before October 20, 2017**.

IT IS FURTHER ORDERED that Plaintiff’s counsel is authorized to send out the “Notice of Rights and Consent Form,” attached as Exhibit A to this order, via regular U.S. Mail and via electronic mail to all persons contained on the Class List within ten (10) days of receiving the Class List. Simultaneous with the first mailing, Plaintiff’s counsel shall send a text message to the Class Members with a link to the Notice of Rights and Consent Form. Class Members shall also be given the option to execute their Consent Forms electronically online. All consent forms shall be returned to Plaintiff’s counsel who in turn will be responsible for filing them with the court. As shall be set forth in the notice, the Class Members shall have 60 days from the date Plaintiff’s counsel sends out the notices to file their Notice of Consent opting-in to this lawsuit as plaintiffs.

IT IS FURTHER ORDERED that Defendants are prohibited from communicating, directly or indirectly, with any current or former installation technician about any matters which touch or concern the settlement of any outstanding wage claims or other matters related to this suit during the opt-in period. Defendants shall so instruct all of their branch managers. This order shall not restrict Defendants from discussing with any current employee matters that arise in the normal course of business.

SIGNED this 12th day of October, 2017.



LEE YEAKEL
UNITED STATES DISTRICT JUDGE